

1 Benjamin K. Riley (SBN 112007)
2 Helen C. MacLeod (SBN 206618)
2 HOWREY LLP
3 525 Market Street, Suite 3600
3 San Francisco, California 94105
4 Telephone: (415) 848-4900
4 Facsimile: (415) 848-4999

5 | Stephen D. Libowsky (*pro hac vice* to be submitted)

HOWREY LLP

6 321 North Clark Street, Suite 3400
Chicago, IL 60610
7 Telephone: (312) 595-1239
Facsimile: (312) 595-2250

9 Attorneys for Defendant
ENTERPRISE TRUST COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RUTHE P. GOMEZ,

Plaintiff,

VS.

TRADERIGHT CORP. d/b/a TRADERIGHT SECURITIES, INC., ENTERPRISE TRUST COMPANY, and LOCKE HAVEN, LLC,

Defendants.

Case No. CV 08-0266 (WDB)

**STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO FILE RESPONSE
TO COMPLAINT**

1 Pursuant to Local Rule 6-2, Plaintiff Ruthe P. Gomez, on the one hand, and Defendants
2 Enterprise Trust Company (“Enterprise Trust”) and TradeRight Corporation (“TradeRight”), on the
3 other hand, by and through their respective counsel of record, hereby stipulate and agree as follows:

4 WHEREAS, Ms. Gomez initiated this action in the Superior Court of the State of California in
5 the County of Alameda (Case No. RG 07362098) on or about December 19, 2007;

6 WHEREAS, Enterprise Trust removed this action to this Court on or about January 15, 2008;

7 WHEREAS, on January 16, 2008, TradeRight filed its joinder in Enterprise Trust’s removal of
8 this action to this Court;

9 WHEREAS, Ms. Gomez seeks, by this action, to transfer her trust accounts from Enterprise
10 Trust to A.G. Edwards & Sons or other custodians;

11 WHEREAS, on January 23, 2008, the parties filed a Stipulation to extend time for Enterprise
12 Trust and TradeRight to respond to the Complaint by approximately ten days, until Friday, February
13 15, and this Court approved that Stipulation on January 25, 2008 (Dkt. No. 7);

14 WHEREAS, on February 12, 2008, the parties filed a second Stipulation to extend time for
15 Enterprise Trust and TradeRight to respond to the Complaint by four weeks, until Friday, March 14,
16 and this Court approved that Stipulation on February 12, 2008 (Dkt. No. 11);

17 WHEREAS, the Initial Case Management Conference in this action is set for April 23, 2008;

18 WHEREAS, no discovery has yet occurred;

19 WHEREAS, other than the one ten-day extension and one four-week extension referenced
20 above, no other time modifications have been made in this action, whether by stipulation or by Court
21 order;

22 WHEREAS, on March 14, 2008, counsel for Defendant Enterprise Trust Company will file a
23 Motion to Withdraw Appearance in this case;

24 WHEREAS, Defendant Enterprise Trust Company may retain substitute counsel should the
25 Motion to Withdraw Appearance be granted;

26 WHEREAS, this stipulated time modification will not have any effect on the schedule for this
27 action;

1 NOW THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned, that

2 1. The time for Enterprise Trust and TradeRight to file a pleading responsive to the

3 Complaint is extended up to and including March 28, 2008.

4 Dated: March 13, 2008

Respectfully submitted,

5 **HOWREY LLP**

6 7 By: /s/ Benjamin K. Riley

8 Benjamin K. Riley
9 Attorneys for Defendant
10 ENTERPRISE TRUST COMPANY

11 Dated: March 13, 2008

Respectfully submitted,

12 **GATTEY LAW OFFICES**

13 14 By: /s./ Scott D. Gattey

15 Scott D. Gattey
16 Attorneys for Defendant
17 TRADERIGHT CORP., d/b/a
18 TRADERIGHT SECURITIES, INC.

19 Dated: March 13, 2008

Respectfully submitted,

20 **BALDWIN LAW GROUP**

21 22 By: /s/ Patrick Baldwin

23 Patrick Baldwin
24 Attorneys for Plaintiff
25 RUTHE P. GOMEZ

ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that the time for Enterprise Trust and TradeRight to file a pleading responsive to the Complaint is extended up to and including March 28, 2008.

14

Wayne D. Brazil
The Honorable Wayne D. Brazil
United States Magistrate Judge

Case No. CV 08-0266 (WDB)
STIPULATION AND [PROPOSED] ORDER EXTENDING
TIME TO FILE RESPONSE TO COMPLAINT

-4-

FILER'S ATTESTATION

Pursuant to General Order No. 45, Section X, Subparagraph B, of the United States District Court for the Northern District of California, the undersigned attests that all parties have concurred in the electronic filing of this Stipulation and [Proposed] Order.

Dated: March 13, 2008

Respectfully submitted,

HOWREY LLP

/s/ Benjamin K. Riley
Benjamin K. Riley
Attorneys for Defendant
ENTERPRISE TRUST COMPANY